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R A BYLVYXZVT A0769
ŧAM-TAFOYA; BJT;590
ŧTESTIMONY BEGINS IN TRIAL OF MAN CHARGED IN LIBYAN SHOOTING
ŧBY BOB KERR
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FORT COLLINS; COLO. (AP) - EUGENE TAFOYA IS A ''FORGOTTEN PATRIOT'' WHO WAS WORKING FOR THE CENTRAL INTELLIGENCE AGENCY WHEN HE SHOT A LIBYAN DISSIDENT STUDENT IN SELF-DEFENSE; HIS LAWYER SAID THURSDAY.

TAFOYA; 47; A RETIRED SOLDIER WHO SERVED IN THE KOREAN AND VIETNAM WARS; IS ON TRIAL ON CHARGES OF FIRST-DEGREE ATTEMPTED MURDER AND CONSPIRACY IN THE OCTOBER 1980 SHOOTING OF FAISAL ZAGALLAI; WHO SURVIVED HEAD WOUNDS BUT LOST AN EYE.

WALTER GERASH SAID IN OPENING ARGUMENTS THAT TAFOYA WENT TO ZAGALLAI'S APARTMENT TO PASS WHAT HE BELIEVED TO BE A CIA WARNING TO STOP MAKING BROADCASTS AGAINST KHADAFY IN THE MIDDLE EAST. HE SAID TAFOYA SHOT ZAGALLAI IN SELF-DEFENSE.

''I THINK THIS CASE WILL BE CALLED THE CASE OF THE SOLDIER LEFT OUT IN THE COLD OR THE CASE OF THE FORGOTTEN PATRIOT;'' SAID GERASH.

DISTRICT ATTORNEY STU VAN MEVEREN TOLD THE JURY HE WOULD PROVE TAFOYA WAS HIRED TO KILL ZAGALLAI AND WENT TO THE STUDENT'S APARTMENT UNDER ''AN ASSUMED NAME; WITH A GUN; UNDER FALSE PRETENSES; WITH THE SPECIFIC INTENT TO COMMIT A CRIME.''

POLICE HAVE SAID TAFOYA WAS HIRED TO KILL ZAGALLAI BECAUSE OF HIS OPPOSITION TO THE LIBYAN REGIME OF COL. MOAMMAR KHADAFY.

VAN MEVEREN SAID HE WOULD CALL UP TO 50 WITNESSES; INCLUDING SOME WITH LINKS TO THE CIA.

HE SAID TAFOYA VISITED ZAGALLAI ON THE PRETEXT OF INTERVIEWING HIM FOR A JOB AS A TRANSLATOR. TAFOYA CHATTED WITH ZAGALLAI AND HIS WIFE FOR SEVERAL MINUTES AND THEN; WHEN ZAGALLAI'S WIFE LEFT THE ROOM; SHOT ZAGALLAI; VAN MEVEREN SAID.

THREE DAYS AFTER THE SHOOTING; JANA; THE OFFICIAL NEWS AGENCY OF THE LIBYAN GOVERNMENT; ANNOUNCED THAT THE REVOLUTIONARY COMMITTEE SUPPORTING KHADAFY CLAIMED RESPONSIBILITY FOR THE SHOOTING. THE LIBYAN GOVERNMENT DENIED THE REPORT.

ZAGALLAI; A FORMER MEMBER OF A DISSIDENT LIBYAN STUDENT-GROUP OPPOSED TO KHADAFY; HAD TOLD POLICE BEFORE THE ATTACK THAT HE HAD RECEIVED DEATH THREATS.

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